

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Feacha Sessions,)
Plaintiff,) C/A No.: 3:04-0634-MBS
vs.)
The University of South Carolina,)
Defendant.)

)

O R D E R

Plaintiff Feacha Sessions is or was an employee of Defendant University of South Carolina. Plaintiff filed this action on March 1, 2004, asserting that he had been subjected to discriminatory treatment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.

This matter is before the court on Defendant's motion for summary judgment, which motion was filed September 30, 2005 (Entry 16). Defendant contends that at least one of Plaintiff's claims is time-barred, that at least two of Plaintiff's claims have not been administratively exhausted, and that Plaintiff's remaining claims fail on the merits. Plaintiff filed a response to the motion on October 25, 2005, to which Defendant filed a reply on November 4, 2005. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Merchant for a Report and Recommendation. The Magistrate Judge issued a Report and Recommendation on August 10, 2006, in which he recommended that Defendant's motion for summary judgment be granted. No party filed objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo

determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has thoroughly reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report and Recommendation and incorporates it herein by reference. For the reasons stated therein and in this order, Defendant's motion for summary judgment (Entry 16) is **granted**.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

August 31, 2006

Columbia, South Carolina